

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: RENEE FAYE GIBSON	:	CHAPTER 13
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
RENEE FAYE GIBSON	:	
Respondent(s)	:	CASE NO. 1-19-bk-00109

TRUSTEE’S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 14th day of February, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)’ plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required.
2. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7.
3. The Trustee avers that debtor(s)’ plan is not feasible based upon the following:
 - a. The plan is underfunded relative to claims to be paid – 100% plan.
4. Trustee avers that debtor(s)’ plan is not feasible and cannot be administered due to the lack of the following:
 - a. 2017 Federal Income Tax return.
5. The Trustee provides notice to the Court as to the ineffectiveness of debtor(s) Chapter 13 Plan for the following reasons:
 - a. Failure to use the Model Plan as adopted by the Court.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 8th day of March, 2019, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

James Turner, Esquire
915 N. Mountain Road, Suite D
Harrisburg, PA 17112

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee